

# EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

SWISSDIGITAL USA CO., LTD.

Plaintiff,

v.

WENGER S.A.

Defendant.

Civil Action No. 6:21-cv-453

DEMAND FOR JURY TRIAL

**DECLARATION OF DARIUSH KEYHANI**

I, Dariush Keyhani, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am over twenty-one years of age and have personal knowledge of the following facts or access to information and/or records allowing me to confirm these facts.
2. I am a member of the law firm of Keyhani LLC and represent Plaintiff Swissdigital USA Co., Ltd. (“Swissdigital” or “Plaintiff”).
3. I submit this declaration in support of Plaintiff’s Amended Complaint.
4. On January 11, 2021, Swissdigital notified counsel for Wenger that its SWISSGEAR branded backpacks infringed exemplary claim 1 of Swissdigital’s U.S. Patent No. 10,574,071 (“the ’071 Patent”) and practiced claims of Swissdigital’s U.S. patent application 16/838,059 (which issued as U.S. Patent No. 10,931,138 (“the ’138 Patent”)), which had been allowed by the USPTO on December 23, 2020. Subsequently, on March 30, 2021, by email and over a Zoom conference call, Swissdigital provided Wenger a claim element by claim element

analysis of infringement of exemplary claim 1 of the '071 Patent and exemplary claim 23 of the '138 Patent.

5. Counsel for Wenger was actively involved in all aspects of these discussions. At no time did Wenger dispute that it should be involved in these discussions, state that Plaintiff should be speaking to any other entity, or otherwise indicate that it was not a proper party to this dispute.

Executed on November 24, 2021

/s/ Dariush Keyhani